

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

LESTER D. SCAIFE,	)	
	)	
Plaintiff,	)	Case No. 19-cv-01284
	)	
v.	)	Judge John J. Tharp Jr.
	)	
RALPH LAUREN,	)	
	)	
Defendant.	)	

**DEFENDANT'S INITIAL STATUS REPORT**

1. The Nature of the Case:
  - A. Identify (names and contact information) for all attorneys of record for each party, including the lead trial attorney.

**Plaintiff**

Lester Scaife (Pro Se)  
30 W. Chicago Ave., #1640  
Chicago, Illinois 60654  
312-254-7499

Plaintiff's motion for appointment of counsel is pending.

Because Plaintiff is not represented by counsel, he was not comfortable agreeing to anything in the initial status report. He would like the opportunity to address the matters contained in this report when he appears before the Court.

**Defendant**

John T. Roache  
Akerman, LLP  
71 S. Wacker Drive, 46<sup>th</sup> Floor  
Chicago, Illinois 60606  
[john.roache@akerman.com](mailto:john.roache@akerman.com)  
312-634-5737

- B. Briefly describe the nature of the claims asserted in the complaint and any Counterclaims and/or third party claims.

Plaintiff claims that Defendant discriminated against him on the basis of his race in violation of Title VII of the Civil Rights Act of 1964 and 42 U.S.C. § 1981.

Defendant denies that it violated any laws or that it discriminated against Plaintiff.

- C. Briefly identify the major legal and factual issues in the case.

Whether Plaintiff made false statements in connection with his application to proceed *in forma pauperis* and whether the Court should dismiss the complaint pursuant to 28 U.S.C. § 1915 (e)(2)(A).

Whether Defendant discriminated against Plaintiff on the basis of his race in violation of Title VII of the Civil Rights Act of 1964 and 42 U.S.C. § 1981.

- D. State the relief sought by any of the parties.

Plaintiff seeks appropriate injunctive relief, lost wages, liquidated/double damages, front pay, compensatory damages, punitive damages, prejudgment interest, post-judgment interest, and costs, including reasonable attorney fees and expert witness fees.

Defendant denies that it violated any laws or that Plaintiff is entitled to any relief.

2. Jurisdiction: The Court has jurisdiction pursuant to 28 U.S.C. § 1331, 28 U.S.C. § 1343(a)(3), 42 U.S.C. § 2000e-5(f)(3), and 42 U.S.C. § 1988.
3. Status of Service: The only Defendant, Ralph Lauren Inc., has been served.
4. The Parties do not consent to proceed before the Magistrate Judge.
5. Motions:

Defendant filed a motion to dismiss Plaintiff's complaint pursuant to 28 U.S.C. § 1915 (e)(2)(A) because Plaintiff made false statements in connection with his application to proceed *in forma pauperis*. Specifically, Plaintiff committed perjury by (1) failing to disclose that he received other salary or wages in the previous twelve months prior to submitting his application; and (2) misrepresenting his current salary and/or rate of pay. Plaintiff failed to disclose that he received at least \$19,288 in wages in 2018 and falsely claimed that he earned only \$12.90 per hour at his current employer, when in fact Plaintiff earns commissions on top of that hourly salary, which substantially increases his effective hourly rate of pay.

6. Status of Settlement Discussions:

The Parties have not engaged in any settlement discussions and do not request a referral for a settlement conference at this point.

Dated: May 7, 2019

Respectfully submitted,

Ralph Lauren, Inc.

By: /s/ John T. Roache

One of Its Attorneys

John T. Roache  
Akerman LLP  
71 S. Wacker Drive, 46th Floor  
Chicago, IL 60606  
john.roache@akerman.com  
312-634-5737

**CERTIFICATE OF SERVICE**

I, John T. Roache, certify that on the 7<sup>th</sup> day of May, 2019, I caused the Defendant's Initial Status Report to be served a copy of the foregoing document on all counsel of record listed below, via the Court's ECF filing system and/or U.S. Mail.

Lester Scaife  
30 W. Chicago Ave., #1640  
Chicago, IL 60654

/s/ John T. Roache  
John T. Roache